

**Effective 5/12/2015**

**26-18-604 Division duties -- Reporting.**

- (1) The division shall:
  - (a) develop and implement procedures relating to Medicaid funds and medical or hospital assistance funds to ensure that providers do not receive:
    - (i) duplicate payments for the same goods or services;
    - (ii) payment for goods or services by resubmitting a claim for which:
      - (A) payment has been disallowed on the grounds that payment would be a violation of federal or state law, administrative rule, or the state plan; and
      - (B) the decision to disallow the payment has become final;
    - (iii) payment for goods or services provided after a recipient's death, including payment for pharmaceuticals or long-term care; or
    - (iv) payment for transporting an unborn infant;
  - (b) consult with the Centers for Medicaid and Medicare Services, other states, and the Office of Inspector General of Medicaid Services to determine and implement best practices for discovering and eliminating fraud, waste, and abuse of Medicaid funds and medical or hospital assistance funds;
  - (c) actively seek repayment from providers for improperly used or paid:
    - (i) Medicaid funds; and
    - (ii) medical or hospital assistance funds;
  - (d) coordinate, track, and keep records of all division efforts to obtain repayment of the funds described in Subsection (1)(c), and the results of those efforts;
  - (e) keep Medicaid pharmaceutical costs as low as possible by actively seeking to obtain pharmaceuticals at the lowest price possible, including, on a quarterly basis for the pharmaceuticals that represent the highest 45% of state Medicaid expenditures for pharmaceuticals and on an annual basis for the remaining pharmaceuticals:
    - (i) tracking changes in the price of pharmaceuticals;
    - (ii) checking the availability and price of generic drugs;
    - (iii) reviewing and updating the state's maximum allowable cost list; and
    - (iv) comparing pharmaceutical costs of the state Medicaid program to available pharmacy price lists; and
  - (f) provide training, on an annual basis, to the employees of the division who make decisions on billing codes, or who are in the best position to observe and identify upcoding, in order to avoid and detect upcoding.
- (2) Each year, the division shall report the following to the Social Services Appropriations Subcommittee:
  - (a) incidents of improperly used or paid Medicaid funds and medical or hospital assistance funds;
  - (b) division efforts to obtain repayment from providers of the funds described in Subsection (2)(a);
  - (c) all repayments made of funds described in Subsection (2)(a), including the total amount recovered; and
  - (d) the division's compliance with the recommendations made in the December 2010 Performance Audit of Utah Medicaid Provider Cost Control published by the Office of Legislative Auditor General.

Amended by Chapter 135, 2015 General Session